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**SENATE
STATE OF COLORADO
DENVER**

COMMITTEES
Member of:
Transportation

Ranking Member of:
Education

Received & Inspected

DEC 20 2010

FCC Mail Room

December 13, 2010

Marlene H. Dortch, Secretary
Federal Communications Commission
455 12th Street, SW
Washington DC 20554

RE: Request for Review

FCC Appeal Confirmation Number: 2010121655229 / Proceeding Number: 02-6

Billed Entity Name: East Central BOCES

Billed Entity Number (BEN): 142296

Service Provider Identification Number (SPIN) 143025872

Funding Years 2006-2010

Appeal link: <http://fjallfoss.fcc.gov/ecfs/comment/view.action?id=6016062690>

Dear Ms. Dortch,

My state senate district includes the East Central BOCES that serves about 9,400 students in grades K-12 and about 560 teachers from twenty one rural East Central Colorado Districts. These schools are isolated, small, rural, low-income districts. The schools are located in communities along the East 1-70 corridor ranging in distance from 26 miles to 180 miles from Denver. The school districts along the 1-70 corridor begin at Bennett 35 miles east of Denver and go to Burlington near the Kansas border. I am writing you because a large portion of the East Central BOCES is located in your District 63.

The population of these communities range from 35 to 4,000 people with school district enrollment from 40 to 2900 students. The EC BOCES covers nearly 15,000 square miles and includes farming and ranching communities plus new commuter suburbs east of Denver. Severe drought conditions of the past seven years have directly contributed to the financial struggles of the communities, school districts and families in this area. These small districts have had declining enrollment and increased poverty rates that increase in severity as you travel east, and the vast geographic area which impacts most commodity prices including fuel and energy costs as well as the availability of highly qualified teachers.

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The East Central BOCES offers access to a high speed Wide Area Network to our districts. The VNETS (Video Network for Educational and Training Services) network provides interconnects for 17 of the 21 East Central BOCES school districts via a hybrid Fiber/Microwave Wireless Network. Via this network, the BOCES provides IP based Distance Learning opportunities through video-conferencing and high speed Internet access with a combined throughput of over 30 Mbps.

The VNETS is an interactive multipoint video conferencing system that has been installed in 17 of the school districts and at the EC BOCES office in Limon. The system came on line in the fall of 2006, and is being used to expand curriculum choices for high school students, to provide professional development for faculty members, meetings for administration and health and educational opportunities for community members. This system is not only allowing for the educational enrichment for staff and students of all participating districts, but is also enabling districts to keep functioning despite declining enrollment.

Districts are able to share teachers and classes so that their students are able to enjoy a full, rigorous curriculum and higher level high school students are given access to community college classes. This program is providing educational opportunities that were previously unattainable in these small rural communities and is easing the strain on district resources as faculty and administrators are able to attend meetings and professional development classes from their own buildings, saving not only money for fuel and vehicle usage but also valuable travel time.

As the project progresses, students of all ages are being given access to distance learning opportunities through virtual tours with such organizations as NASA, the San Diego Zoo, museums, and colleges and they are able to link with other schools from different states, countries and continents providing them with a global view of the world around them. Community members will not only be able to access college classes and educational opportunities but also medical services through the system.

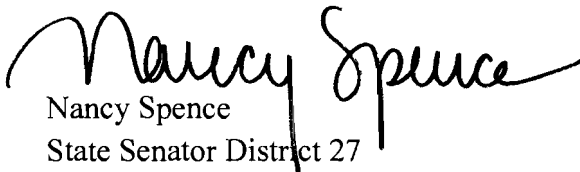
The decision to not fund the e-rate portion of the expenses for this system is a tremendous blow to the economic stability of the all twenty one school districts in the East Central BOCES region across the eastern plains of Colorado. The dollars affected by this decision for the school districts in involved in this program are \$1,960,813.33 to be rescinded and \$1,469,115.28 denied for the past two funding years. These amounts total \$3,429,928.61.

This dollar amount saddled on the backs of our rural school districts would be insurmountable in itself. But this decision also has repercussions on the collaboration these districts have been doing to provide high quality educational opportunities to students all across the region. The entire distance learning WAN, covering nearly 15000 square miles would not be possible if these dollars were eliminated, jeopardizing all associated opportunities for the students located in those districts. This decision will have an overwhelmingly negative impact on student opportunities and achievement.

Many classes that are necessary for graduation requirements will be lost with no avenue for local districts to recreate these classes. Many opportunities for students to be connected to the world via virtual field trips and one to one connectivity with experts in the field will be lost to students of all grade levels. Some local districts will not have flexibility in their budgets to provide the options and opportunities their students need and deserve to be on an equal footing with other students all across the State of Colorado and our Nation.

Ms. Dortch, I urge the FCC to reconsider and reverse this decision passed on by USAC, denying the school districts in the East Central BOCES e-rate funding and requesting them to return e-rate funding for past years. There was not a violation to the integrity and fairness of the bidding process - yet educational opportunities for students all across the Eastern Plains of Colorado are going to be destroyed. I've been a member of Colorado's Education Committees in the state house and senate for 12 years and understand the importance of offering a quality education to ALL of Colorado's youngsters. The destruction of these opportunities for students in rural Colorado will unfairly harm students all across the east central plains of Colorado.

Sincerely,

A handwritten signature in black ink that reads "Nancy Spence". The signature is fluid and cursive, with the first name "Nancy" and last name "Spence" clearly legible.

Nancy Spence
State Senator District 27